

DEC 2 - 2002

FCC - MAILROOM



ENCOMPASS NETWORK SERVICES

1305 West 1st Street  
Tempe Arizona 85281  
Phone 480 505 8800  
Fax 480-505 6900  
[www.encompasserv.com](http://www.encompasserv.com)

Letter of Appeal  
Federal Communications Commission,  
Office of the Secretary  
445-12<sup>th</sup> Street SW  
Washington, DC 20554

November 27, 2002

Ref: CC Docket Nos. 96-45 and 97-21

SPIN # 143005983 FRN # 596051  
Wilson Electric Co., Inc, dba Encompass invoice # 585 15, \$29,813.17

Dear Sir or Madam:

We would like to formally appeal the SLC determination to refuse our extension request for payment of the above referenced billing.

The attached USAC letter of denial states "In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control."

Our basis for asking you to grant our extension request is due to the fact that our supplier delayed in providing us materials to begin work on this project. We did eventually receive the materials and started work on August 21, 2002, but the delay caused us not to complete the work until October 29, 2002, past the deadline of 9/30/2002. We made every effort to correct the problem/ delay, but it was outside of our control.

Your review of this appeal is greatly appreciated. Please contact the undersigned, should you have any questions or need additional information. Thank you.

Sincerely,

Wilson Electric Co., Inc. dba Encompass

A handwritten signature in cursive script that reads "Wayne Barton".

Wayne Barton  
Phone: (480) 505-6544  
Fax: (480) 505-6548  
[wayne.barton@encompass.com](mailto:wayne.barton@encompass.com)

No. of Copies rec'd 0  
List ABOVE

Attached: USAC Letter, original request for extension



**Universal Service Administrative Company**  
Schools & Libraries Division

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## Administrator's Decision on Implementation Extension Request

11/22/02

Wayne Barton  
Wilson Electric Co. dba Encompass Network Solutions  
1305 West 1st Street  
Tempe, AZ 85281

471 Application Number: 244902  
Funding Request Number(s): 59605 1  
Your Correspondence Dated: 10/29/02

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your request included more than one 471 Application, please note that for each application you will receive a separate determination letter.

FRN: 59605 1

Decision on extension request: **Denied in full**

Explanation: Request for extension was received after the original non-recurring services deadline of 9/30/02. Equipment was delivered after the implementation deadline and before the request for the extension.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

## **FCC REVIEW OF THE ADMINISTRATOR'S DECISION**

If you believe there is a basis for further examination of your request, you may file an appeal with the Federal Communications Commission (FCC): FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site <[www.sl.universalservice.org](http://www.sl.universalservice.org)> for more information. You should refer to CC Docket Nos. 96-45 and 97-21 on the first page of your appeal to the FCC. Your appeal must be made in writing and RECEIVED BY THE FCC at the FCC address above WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference area of the SLD web site.

We thank you for your continued support, patience, and cooperation during the request review process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Frank J. Frassetto Jr., Washington School District 6

## Barton, Wayne

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**From:** Barton, Wayne  
**Sent:** Tuesday, October 29, 2002 2:27 PM  
**To:** 'sldcorrespondenceunit@sl.universalservice.org'  
**cc:** Buchanan, Shawna  
**Subject:** Request For Deadline Invoice Extension

Please grant a deadline invoice extension for the following:

- Contact Person name  
Shawna Buchanan
- Contact Information (including e-mail address)  
shawna.buchanan@encompass.com
- Form 471 Application Number  
244902
- Funding Request Number (FRN)  
596051
- Service Provider Name  
Wilson Electric Co. dba Encompass Network Solutions
- Service Provider Identification Number (SPIN)  
143005983
- SLC Invoice Number (If known)  
not known  
  
Encompass invoice # 58515
- Amount of Invoice  
  
Undiscounted amount: \$33,497.94  
Discounted amount: \$29,813.17
- Reason for Invoice Deadline Extension request

Work started on August 21, 2002, and completion was delayed for receipt of parts. Work completed on October 29, 2002. Applicant is submitting FCC Form 500 and updated 486.

Responses can be directed to myself or Shawna Buchanan at shawna.buchanan@encompass.com

Thanks!!!!

Wayne Barton  
(480) 505-6544